

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
BCause LLC,)	Case No. 19-10731
)	
Debtor.)	Honorable Janet S. Baer
)	

**WESCO DISTRIBUTION’S LIMITED OBJECTION TO THE: (I) MOTIONS TO
EMPLOY ATTORNEYS FOR THE DEBTORS AND (II) APPLICATIONS OF THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO EMPLOY FREEBORN
& PETERS LLP AND ITS ATTORNEYS AS COUNSEL**

WESCO Distribution, Inc. (“WESCO”) hereby files this limited objection (the “Objection”) to: (i) the two motions filed by BCause Mining LLC and BCause LLC (the “Debtors”) to retain Crane, Simon, Clar & Dan [D.I. 52 on both dockets]; and (ii) the applications of the Official Committee of Unsecured Creditors (the “Committee”) to retain Freeborn & Peters LLP [D.I. 50 on both dockets].

WESCO does not object to the Debtors and the Committee retaining counsel except insofar as they propose to use WESCO’s cash collateral to pay such counsel. More to the point, the Debtors to date have failed to share or file any budget in these cases that sets forth the proposed expenditure for either the Debtors’ or the Committee’s counsel. In neither the original cash collateral motions [D.I. 3 and D.I. 5] nor the supplement filed in the BCause LLC bankruptcy case [D.I. 24] do the Debtors set forth line items for professional fees, US Trustee costs, or the other non-operational costs attendant with a chapter 11 bankruptcy case. In addition, to date, the Court has not permitted use of cash collateral to pay professionals. It is thus unknown how the estates will pay these professionals.

Interestingly, according to the retention motions filed by the Debtors, the Debtors could not even fund payment of their prepetition retainers out of revenues. Rather, the Debtors had to fund these retainers through insider loans, raising a serious question as to how the Debtors can pay the professional and other non-operational costs of these chapter 11 cases without further infusions.

Finally, WESCO objects to the Debtors' retention applications because they fail to disclose how much is owed and how much was paid to Crane, Simon, Clar & Dan for prepetition services. Obviously, to the extent the Debtors' law firm is a prepetition creditor, either because they have outstanding invoices or they received payments that can be recovered as preferences, they cannot be disinterested under section 327(a) of the Bankruptcy Code.

WHEREFORE, WESCO respectfully requests that this court enter an order denying the professional retention applications filed by the Debtors and the Committee unless and until WESCO's concerns are addressed.

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Dated: May 7, 2019

/s/ David A. Agay

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CERTIFICATE OF SERVICE

I, David A. Agay, hereby certify that, on May 7, 2019, I caused a copy of the foregoing **WESCO DISTRIBUTION'S LIMITED OBJECTION TO THE: (I) MOTIONS TO EMPLOY ATTORNEYS FOR THE DEBTORS AND (II) APPLICATIONS OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO EMPLOY FREEBORN & PETERS LLP AND ITS ATTORNEYS AS COUNSEL** to be electronically filed with the Clerk of Court using the Electronic Case Filing System, and be served via the CM/ECF system or U.S. mail on the following interested parties:

Via ECF:

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